



PATENT
Attorney Docket No. INL-053
(4643/95)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Dai et al.
SERIAL NO.: 10/029,406 GROUP NO.: 1651
FILING DATE: December 19, 2001 EXAMINER: Not yet assigned
TITLE: PROTEIN S FUNCTIONAL ASSAY

Commissioner for Patents
Washington, D.C. 20231

RECEIVED
MAR 07 2003
TECH CENTER 1600/2900

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

Applicants submit that U.S. Patent No. 5,726,028 was listed as a member of the patent family for Germany language EP 696642A1, cited in the International Search Report, and that Canadian patent application 2037434A1 was listed as a member of the patent family for German language EP445626A2, cited in the International Search Report.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:


- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Date: February 28, 2003
Reg. No. 43,153

Tel. No.: (617) 310-8168
Fax No.: (617) 248-7100

2582678



Diana M. Steel
Attorney for Applicants
Testa, Hurwitz, & Thibeault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110



FORM PTO - 1449					ATTORNEY DOCKET NO.: INL-053				
SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT					APPLICANT(S): Dai et al.				
					SERIAL NO.: 10/029,406				
					FILING DATE: December 19, 2001 GROUP: 1651				
U.S. PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
	A44	5,726,028	03/10/98	Kraus	435	13			
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B15	2,037,434	9/4/91	CA				N	Y
	B16	0 406 971 A1	1/9/91	EP				N	Y
	B17	0 445 626 A2	9/11/91	EP				N	N
	B18	0 696 642 A1	2/14/96	EP				N	N
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	C164	International Search Report for International Patent Application No. PCT/US01/50338, dated February 10, 2003, 6 pages.							
EXAMINER					DATE CONSIDERED				

RECEIVED

MAR 07 2003

TECH CENTER 1600/2900